

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

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Office: (317) 232-2701  
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COMPLAINT OF NUVOX )  
COMMUNICATIONS OF INDIANA )  
INC., AGAINST SBC INDIANA )  
REGARDING ITS UNLAWFUL )  
BILLING PRACTICES FOR )  
COLLOCATION POWER CHARGES )  
RESPONDENT: )  
INDIANA BELL TELEPHONE )  
COMPANY, D/B/A SBC INDIANA )

FILED

JUL 02 2003

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42398

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On June 26, 2003, NuVox Communications of Indiana, Inc., ("NuVox") filed an *Unopposed Motion to Amend Procedural Schedule* ("Motion") in this matter. In its Motion NuVox indicates that the procedural schedule originally agreed to by the parties allowed insufficient time for the completion of discovery and the parties have agreed to amend the procedural schedule. The Presiding Officers, having reviewed the Motion and being duly advised in the premises, hereby GRANT the Motion and revise the procedural schedule in this matter as follows:

1. **Complainant's Prefiling Date.** The Complainant should prefile with the Commission its prepared testimony and exhibits constituting its case-in-chief on or before August 19, 2003. Copies of same should be served upon all parties of record.

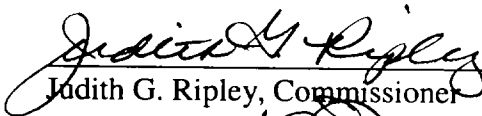
2. **Respondent's and Intervenor's Prefiling Date.** The Respondent and all Intervenor's should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before October 20, 2003. Copies of same should be served upon all parties of record.

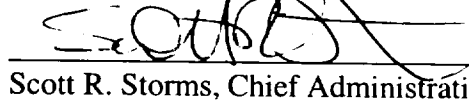
3. **Public's Prefiling Date.** Public should prefile with the Commission the prepared testimony and exhibits constituting their respective case-in-chief on or before November 3, 2003.

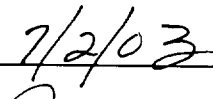
4. **Complainant's Rebuttal Prefiling and Respondent's Reply.** The Complainant should prefile with the Commission its prepared rebuttal testimony on or before November 10, 2003. Copies of same should be served upon all parties of record. The Respondent may file a reply, limited to the issues presented by the Public in its prefiling testimony, on or before November 10, 2003. Copies of same should be served upon all parties of record.

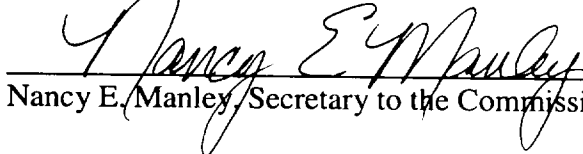
5. **Evidentiary Hearing on the Parties' Cases-In-Chief.** In the event this Cause is not settled, the cases-in-chief of the Complainant, Respondent, Public and any Intervenor should be presented in an Evidentiary Hearing to commence at 9:30 a.m., on December 8, 2003 in Room E-306 of the Indiana Government Center South, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Complainant should present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public or Intervenor's witnesses. In the event that the parties are able to resolve this matter by agreement, the parties' Settlement Agreement should be filed with the Commission five (5) business days prior to the date of the Evidentiary Hearing.

**IT IS SO ORDERED.**

  
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Judith G. Ripley, Commissioner

  
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Scott R. Storms, Chief Administrative Law Judge

  
\_\_\_\_\_  
Date

  
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Nancy E. Manley, Secretary to the Commission